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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,165	01/26/2001	Robert Fung-chen Pan	RAL919990012US1	8089

25299 7590 07/30/2004

IBM CORPORATION  
PO BOX 12195  
DEPT 9CCA, BLDG 002  
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

NGUYEN, MINH DIEU T

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/770,165	Applicant(s) PAN ET AL.	
	Examiner Minh Dieu Nguyen	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01/26/2001.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>Jan. 26, 2001</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. Claims 1-43 are pending.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-43** are rejected under 35 U.S.C. 102(e) as being anticipated by Vilhuber, US Patent 6,470,453.

a) **As to claims 1, 12, 23 and 34**, Vilhuber discloses a computer-readable medium, a computer data signal embodied in a carrier wave, and an apparatus (col. 4, lines 65-67) for validating connections to a network system comprising a network router (Fig. 5, element 500; col. 13, lines 34-39) comprises a processor (Fig. 5, element 504), a port operable for coupling the processor to a WAN (Fig. 5, element 528; col. 14, lines 53-67 to col. 15, lines 1-14), a port operable for coupling the processor to a LAN (Fig. 5, element 522); a smart card reader coupled to the processor (col. 2, lines 56-59); circuitry operable for reading data from a smart card inserted into the smart card reader,

wherein the data includes information on how to dial up a data processing system over the WAN; and circuitry operable for dialing up the data processing system over the WAN using the information (col. 4, lines 1-8; col. 6, lines 25-27).

b) **As to claims 2, 13, 24 and 35**, Vilhuber discloses the network router wherein the data processing system is associated with an ISP (Fig. 1, element 104), and wherein the information includes the phone number of the ISP (col. 1, lines 21-23; col. 3, lines 14-23; col. 6, lines 59-61).

c) **As to claims 3, 14, 25 and 36**, Vilhuber discloses the network router wherein the data includes networking parameters read by the ISP to configure a connection between the router and the data processing system (col. 3, lines 50-52; col. 7, lines 44-47).

d) **As to claims 4, 15, 26 and 37**, Vilhuber discloses the network router further comprising: circuitry operable for receiving from the data processing system over the WAN configuration information; and circuitry operable for writing the configuration information onto the smart card via the smart card reader (col. 11, lines 18-24).

e) **As to claims 5, 16, 27 and 38**, Vilhuber discloses the network router wherein the configuration information includes a PPP user ID and password (col. 1, lines 44-46; col. 2, lines 10-13).

f) **As to claims 6, 17, 28 and 39**, Vilhuber discloses the network router wherein the configuration information includes a local phone number for dialing up the ISP (col. 14, lines 37-67).

g) **As to claims 7, 18 and 29**, Vilhuber discloses the network router further comprising circuitry operable for permitting a plurality of computers coupled to the router via the LAN to access the ISP using the configuration information (col. 6, lines 30-34).

h) **As to claims 8, 19, 30 and 40**, Vilhuber discloses the network router further comprising: circuitry operable for establishing a connection between the router and the data processing system and circuitry operable for channeling the connection to a specified virtual private network (Fig. 1, elements 101 and 103).

i) **As to claims 9, 20, 31 and 41**, Vilhuber discloses the network router further comprising circuitry operable for permitting access on the virtual private network only at a security level specified in the information on the smart card (col. 2, lines 28-32; col. 11, lines 35-40).

j) **As to claims 10, 21, 32 and 42**, Vilhuber discloses the network router wherein the WAN is an Intranet (col. 3, lines 14-17).

k) **As to claims 11, 22, 33 and 43**, Vilhuber discloses the network router further comprising circuitry operable for permitting access to the Intranet as a function of security information stored on the smart card (col. 3, lines 15-23).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

a) US 2002/0040434 to Elliston et al. discloses techniques for providing and obtaining research and development information technology on remote computing resources.

b) US 2002/0037004 to Bossemeyer et al. discloses home gateway system and method.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 703-305-9727. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 703-306-3036. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2137

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Minh Dieu Nguyen  
Examiner  
Art Unit 2137

mon  
mdn  
7/12/04

Andrew Caldwell  
Andrew Caldwell